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P.O. Box 369  
Shepherdsville, KY 40165-0369  
Phone (502) 955-4400 or (800) 516-4293  
Fax (502) 543-4410 or (800) 541-4410

July 5, 2005

**VIA EXPRESS MAIL**

Susan G. Hutcherson  
Filings Division Manager, Docket Branch  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602-0615

RECEIVED  
JUL - 6 2005  
PUBLIC SERVICE  
COMMISSION

Re: New Cingular Wireless PCS, LLC, d/b/a Cingular Wireless  
PSC Case No.: 2005-00168  
Cingular Site Name: Jewell Hill  
Federal Aviation Administration Approval  
Kentucky Airport Zoning Commission Approval

Dear Susan:

Please accept this letter and the attached documents as an official filing in the above-referenced Public Service Commission action. The Certificate of Public Convenience and Necessity issued in this action called for the Applicant to file a copy of the Federal Aviation Administration and Kentucky Airport Zoning Commission approvals once they were obtained. Copies of this relevant documentation are attached to this letter for inclusion in the official case file.

If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pike", written over a horizontal line.

David A. Pike  
Attorney for New Cingular Wireless PCS, LLC  
d/b/a Cingular Wireless

Enclosures



**Kentucky Airport Zoning Commission**  
**200 Mero Street**  
**Frankfort, KY 40622**

(502) 564-4480  
fax: (502) 564-7953  
No.: AS-070-M34-05-005

May 11, 2005

**APPROVAL OF APPLICATION**

**APPLICANT:**

Cingular Wireless LLC  
Jayne Cano  
17330 Preston Road  
Suite 100A  
Dallas, TX 75252

**SUBJECT:** AS-070-M34-05-005

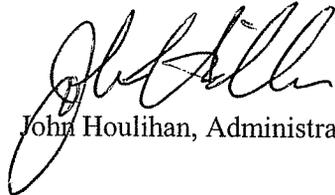
**STRUCTURE:** Antenna Tower  
**LOCATION:** Smithland, KY  
**COORDINATES:** 37-07-07.71 N / 88-20-28.97 W  
**HEIGHT:** 320'AGL/863.5'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 320'AGL/863.5'AMSL Antenna Tower near Smithland, KY 37-07-07.71 N / 88-20-28.97 W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 602 KAR 50:100.

  
John Houlihan, Administrator

**RECEIVED**  
JUL - 6 2005  
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COMMISSION**



Federal Aviation Administration  
 Southern Regional Office  
 1701 Columbia Avenue-ASO-520  
 College Park, GA 30337

Aeronautical Study No.  
 2005-ASO-789-OE

Issued Date: 3/17/2005

DANA MCNATT  
 CINGULAR WIRELESS (DANA)  
 17330 PRESTON ROAD  
 DALLAS, TX 75252

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Antenna Tower  
 Location: SMITHLAND, KY  
 Latitude: 37-7-7.71 NAD 83  
 Longitude: 88-20-28.97  
 Heights: 320 feet above ground level (AGL)  
 864 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 AC 70/7460-1K Change 1, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

       At least 10 days prior to start of construction  
 (7460-2, Part I)

  X   Within 5 days after the construction reaches its greatest height  
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination expires on 9/17/2006 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404)305-5589. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-ASO-789-OE.

**Signature Control No: 411647-354288**

(DNE)

Cesar I Perez  
Specialist

Attachment(s)  
Case Description  
Frequency Data

7460-2 Attached

Case Description for ASN 2005-ASO-789-OE

THE APPLICANT IS PROPOSING TO CONSTRUCT A 320' ANTENNA TOWER.

Frequency Data for ASN 2005-ASO-789-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
824	849	MHz	500	W
806	824	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W